

Charles Mix County
Board of Commissioners
Regular Session – January 16, 2020

The Charles Mix County Board of Commissioners met in regular session on January 16, 2020 at 10:00 am. Chairman - Neil Von Eschen opened the meeting with the Pledge of Allegiance and called the meeting to order with Vice Chairman - Nick Stotz, Commissioner – Keith Mushitz and Auditor - Danielle Rolston present.

Agenda:

A motion was made by Stotz and seconded by Mushitz to approve the agenda as presented. All in favor, motion carried.

Minutes:

A motion was made by Stotz and seconded by Mushitz to approve the minutes from the January 9, 2020 regular session. All in favor, motion carried.

Bills:

A motion was made by Stotz and seconded by Mushitz to approve the bills for 1/16/2020. All in favor, motion carried.

Executive Session:

A motion was made by Stotz and seconded by Mushitz to enter into executive session at 10:04 am to discuss personnel with Auditor Rolston present. An end was declared to executive session at 10:16 am with no action taken.

Plat:

A motion was made by Mushitz and seconded by Stotz to approve the Plat of Lots 16, 17 and 18, Platte Creek Riverside Acres Addition, Located in the E ½ of Section 23, Township 98 N, Range 69 W of the 5th P.M., Charles Mix County, South Dakota. All in favor, motion carried.

WIC:

Auditor – Rolston presented an email from Region 6 Nurse Manager – Julie Dykstra regarding the WIC travel/meal expenditure program. Dykstra’s email was to inform the County that the Wagner office will change from a satellite site to a full home station. With this change, travel/meal reimbursement will no longer continue through the WIC expenditure reporting. The email included a request for wage increase or to increase work hours from 32 to 36 with 9 hour days Monday – Thursday. The Commission stated this was a reimbursement program offered by the State WIC program and not Charles Mix County. Wages and hours to remain the same, no action taken.

Coroner:

Discussion was held regarding an increase for County Coroner rates. The Commission requested that Chad Peters be placed on the February 13th agenda. No action taken.

County Offices:

Auditor – Rolston addressed the topic of Court Services changing office space with the County Extension; that was previously discussed at the December 19th, 2019 meeting with Court Service officials. After discussion the Commission informed Rolston to notify 4H Advisor – Mary Payer and Court Service officials that this change will take place. No further action taken.

Public Comment:

No public comments were heard. No action taken.

Highway Department:

Highway Superintendent – Doug Cimpl met with the Commission to discuss gravel, culverts and bridge materials still needed due to flood damages. No action taken.

Cimpl informed the Commission that the Annual County Township meeting will be held February 11th at 10:30 am in the Lake Andes 4H building and will be sending invitations out to the townships.

Weight Limit Ordinance:

Auditor – Rolston presented the drafted Weight Limit Ordinance from States Attorney – Steve Cotton. A motion was made by Mushitz and seconded by Stotz to approve the first reading of Ordinance 2020-01. All in favor, motion carried. The second reading of Ordinance 2020-01 will be held at the February 13th meeting at 10:30 am.

Ordinance No. 2020-01

An ordinance regulating weight limit enforcement over certain roads in Charles Mix County and further providing for penalties of violation of the terms of the ordinance and repealing all prior ordinances in conflict with the provision of this ordinance.

Whereas, seasonal climatic changes can be detrimental to our highways, and State Law SDCL 32-14-6 gives the county the authority to prohibit the operation of vehicles or restrict the weight of vehicles upon any highway under its jurisdiction, by reason of deterioration of physical condition, rain, snow, or other climatic conditions will seriously damage or destroy unless the use of vehicles on the highway is prohibited or the permissible weights of the vehicles are reduced; and

Whereas, by state law SDCL 32-22-24, Spring Load limits may be put on as early as February 15 and may stay on through April 30. Time of Implementation and removal is dependent on weather and road conditions. Limits become effective when the signs are installed and displayed, and are no longer enforceable when the signs are removed; and

Whereas, the taxpayers bear the burden of the costs of road repair; and

Whereas, the Board of Charles Mix County Commissioners, desires the enforcement of weight limitation of Charles Mix County Roads as set forth and posted by the Charles Mix County Highway Superintendent.

NOW THEREFORE, BE IT ORDAINED BY THE CHARLES MIX COUNTY COMMISSION: The weight limits on Charles Mix County Highways shall be set at seven (7) tons per axle on roads which will be designated by the posting of signs during the spring thaw period. Further, the South Dakota Highway Patrol is hereby authorized to enforce weight limitations on Charles Mix County roads, and Charles Mix County requests that the Highway Patrol assist in enforcing said with limitations.

1. Purpose: To protect the health, safety and general welfare of the residents of Charles Mix County by enforcing vehicle weight limits on vulnerable County roads.
2. Unlawful Acts: It shall be unlawful to operate any "overweight vehicle," as hereinafter defined, on any "designated road," as hereinafter defined, within Charles Mix County, except as otherwise provided herein.
3. Definitions:
 - A. Overweight vehicle: Any motor vehicle having a total weight, which amounts to more than seven (7) tons per axle.
 - B. Designated Road: A road the County Highway Superintendent has placed weight limits on by the posting of signage.
4. Exceptions to overweight vehicle Traffic: overweight vehicles may be permitted on designated roads as follows:
 - A. For the operation of authorized emergency vehicles.
 - B. For an emergency so declared by public officials or public act.
5. Posting of Restrictions: Signs shall be posted in order to identify the roads that weight limitations are being enforced on. Signs shall be posted at locations determined by the County Highway Superintendent and approved by the Charles Mix County Commissioners.
6. Penalty: Any person violating any provision of this ordinance shall be guilty of a misdemeanor, punishable upon conviction by a fine not to exceed five hundred (\$500.00) dollars, plus costs and/or imprisonment in the county jail for a period not to exceed thirty (30) days.
7. Severability: This ordinance and the various parts, sections, paragraphs, and subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, paragraph, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Neil Von Eschen, Chairman
Charles Mix County Commission

Attest:
Danielle Rolston, County Auditor

Abatements:

Director of Equalization – Denise Weber was present with abatements she has received from property owners affected by the 2019 flooding. The Commission will be attending the upcoming Mitigation Community meeting, to be held in Lake Andes (date to be set by EDS Manager), that will cover other possible procedures for the County and/or property owners. No action taken. Further discussion to be held at the February 13th meeting.

Wages:

Paralegal – Tracie Feenstra met with the Commission to discuss the 2020-01 Wage Resolution. No action taken.

Policies:

Auditor – Rolston, DOE – Denise Weber, Registrar of Deeds – Julie Pavel and Treasurer – Karol Kniffen met with the Commission to review policies and procedures regarding the courthouse departments. No action taken.

February Meetings:

The regular sessions for February have been set for the 13th and 20th at 10:00 am. No further action taken.

Adjourn:

A motion was made by Mushitz and seconded by Stotz to adjourn until the next regular session on February 13th, 2020 at 10:00 am. All in favor, motion carried.

BILLS 1/16/2020

COMMISSIONERS: SD DEPT OF TREASURER, SALES TAX, 18.20, **TOTAL: \$18.20**

ELECTIONS: MAILFINANCE, POSTAGE, 164.29, **TOTAL: \$164.29**

COURTS: VERIZON, UTILITIES, 90.94, THOMSON REUTERS, BOOKS, 1663.00, **TOTAL: \$1,753.94**

AUDITOR: MAILFINANCE, POSTAGE, 164.30, SD DEPT OF TREASURER, SALES TAX, 4.91, **TOTAL: \$169.21**

TREASURER: MAILFINANCE, POSTAGE, 164.30, SD DEPT OF TREASURER, SALES TAX, 179.29, **TOTAL: \$343.59**

STATES ATTORNEY: MAILFINANCE, POSTAGE, 164.29, MYERS SANITATION, UTILITIES, 55.79, PARKHURST LAW, SERVICES, 3333.33, PECHOUS PUBLICATIONS, PUBLISHING, 18.50, THOMSON REUTERS, SOFTWARE, 170.25, **TOTAL: \$3,742.16**

COURT APPOINTED ATTY: WHALEN LAW OFFICE, COURT APPOINTED, 1891.95, **TOTAL: \$1,891.95**

ABUSED/NEG CHILD DEFEN: SWIER LAW, COURT APPOINTED, 1187.50, WHALEN LAW, COURT APPOINTED, 1764.00, **TOTAL: \$2,951.50**

GOVERNMENT BLDGS: MYERS SANITATION, UTILITIES, 123.40, LA FARMER'S CO-OP, UTILITIES/MAINTENANCE/FUEL, 2149.96, **TOTAL: \$2,273.36**

DIR OF EQUALIZATION: MAILFINANCE, POSTAGE, 164.30, SD DEPT OF TREASURER, SALES TAX, 404.01, **TOTAL: \$568.31**

REGISTER OF DEEDS: MAILFINANCE, POSTAGE, 164.30, SD DEPT OF TREASURER, SALES TAX, 78.00, **TOTAL: \$242.30**

VETERANS SERVICE: MAILFINANCE, POSTAGE, 164.29, **TOTAL: \$164.29**

GIS: MAILFINANCE, POSTAGE, 164.29, SD DEPT OF TREASURER, SALES TAX, 5.20, **TOTAL: \$169.49**

SHERIFF: SAMUELSON TIRE & OIL, AUTOMOTIVE, 133.13, GRAHAM TIRE, AUTOMOTIVE, 584.00, CREATIVE PRODUCT SOURCE, SUPPLIES, 415.83, ACCESS GRANTED, SERVICES, 560.00, ULTIMATE SHINE CAR WASH, MAINTENANCE, 36.00, AT&T MOBILITY, UTILITIES, 465.28, SD DEPT OF TREASURER, SALES TAX, 406.78, COUNTRY FORD, REPAIRS, 406.80, GALLS, EQUIPMENT, 132.62, MID-STATES ORGANIZED CRIME, 2020 DUES, 100.00, NATIONAL SHERIFF'S ASSOCIATION, 2020 DUES, 65.00, B & L COMMUNICATIONS, MAINTENANCE, 133.12, OFFICE PRODUCTS, SUPPLIES, 104.19, PITNEY BOWES, POSTAGE, 118.38, VERNON'S REPAIR, MAINTENANCE, 125.45, **TOTAL: \$3,786.58**

JAIL: CAHOY'S, GROCERIES, 116.25, CHARM-TEX, PRISONER CARE, 104.70, BENDER'S SEWER & DRAIN, MAINTENANCE, 1712.50, GALLS, SUPPLIES, 286.24, CASH-WAY DISTRIBUTING, GROCERIES, 4670.57, CHAMBERLAIN WHOLESALE, GROCERIES, 539.20, LA FARMER'S CO-OP, SUPPLIES/UTILITIES/MAINTENANCE, 1487.41, OFFICE PRODUCTS, SUPPLIES, 290.74, PITNEY BOWES,

POSTAGE, 118.38, VERNON'S REPAIR, MAINTENANCE, 66.00, WAGNER BUILDING SUPPLY, REPAIRS, 191.84, **TOTAL: \$9,583.83**

JUVENILE DETENTION: MINNEHAHA COUNTY REGIONAL JUVENILE, PRISONER HOUSING, 690.00, **TOTAL: \$690.00**

NURSE: MAILFINANCE, POSTAGE, 164.29, WAGNER EARLY CHILDHOOD, FEB '20 RENT, 652.62, **TOTAL: \$816.91**

WIC: WAGNER EARLY CHILDHOOD, FEB '20 RENT, 330.00, **TOTAL: \$330.00**

MENTALLY ILL: DEAN SCHAEFER, COURT REPORTER, 126.00, LEWIS & CLARK BEHAVIORAL HEALTH, SERVICES, 534.00, MINNEHAHA COUNTY AUDITOR, SERVICES, 100.00, YANKTON COUNTY SHERIFF'S DEPT, SERVICES, 50.00, **TOTAL: \$810.00**

MENTAL HEALTH CENTERS: DAKOTABILITIES, SERVICES JAN/FEB/MAR, 180.00, **TOTAL: \$180.00**

COUNTY FAIR: CITY OF LA, UTILITIES, 51.10, LA FARMER'S CO-OP, 292.63, SORLIEN PLUMBING, REPAIRS, 137.76, **TOTAL: \$481.49**

SENIOR CITIZENS: ROCS, 2020 BUDGET REQUEST, 6000.00, **TOTAL: \$6,000.00**

COUNTY EXTENSION: MAILFINANCE, POSTAGE, 164.30, **TOTAL: \$164.30**

WEED: MAILFINANCE, POSTAGE, 164.29, WEED & PEST CONFERENCE, CONFERENCE, 780.00, **TOTAL: \$944.29**

HIGHWAY: I-STATE TRUCK CENTER, PARTS/FREIGHT, 382.87, BRYCE FOXLEY, GRAVEL, 2397.96, JD'S FASHION SCREEN ART, SUPPLIES, 102.24, MAILFINANCE, POSTAGE, 164.29, SD DEPT OF TREASURER, SALES TAX, 32.44, RINGLING GRAVEL & CONSTRUCTION, CONTRACT WORK, 400.00, PRODUCTIVITY PLUS, REPAIRS, 1749.49, SCHUMAN ELECTRIC, REPAIRS/EXCISE TAX, 183.09, BEST PROPANE, UTILITIES, 471.50, MIDSTATE EQUIPMENT, MATERIALS, 12866.15, SD DEPT OF REVENUE, EXCISE TAX, 128.88, CLEARFIELD HATTERIAN BRETHERN, REPAIRS, 460.00, BERENS EXCAVATING, CONTRACT WORK/EXCISE TAX, 15031.15, CHARLES MIX ELECTRIC, UTILITIES, 160.07, ROG'S AUTO, REPAIRS, 648.66, LA FARMER'S CO-OP, SUPPLIES/FUEL/UTILITIES, 2427.08, LIEUWEN'S, SUPPLIES, 23.94, MIDWEST FIRE & SAFETY, MAINTENANCE, 594.50, NORTHWESTERN ENERGY, UTILITIES, 238.75, ROCKMOUNT RESEARCH & ALLOYS, FREIGHT/SUPPLIES, 363.64, SEVERSON SERVICE, CONTRACT WORK, 350.00, WHEELCO BRAKE & SUPPLY, PARTS, 13.66, **TOTAL: \$39,190.36**

COMMUNICATIONS CENTER: SD DEPT OF PUBLIC SAFETY, SERVICES, 2590.00, FORT RANDALL TELEPHONE, UTILITIES, 1285.17, SD DEPT OF TREASURER, SALES TAX, 14.30, **TOTAL: \$3,889.47**

EMERGENCY DISASTER: CHARLES MIX ELECTRIC, UTILITIES, 48.42, **TOTAL: \$48.42**

24/7: OFFICE PRODUCTS, SUPPLIES, 93.00, **TOTAL: \$93.00**

M & P RELIEF: EXECUTIVE MGMT FINANCE OFFICE, MAINTENANCE, 52.30, MICROFILM IMAGING SYSTEMS, MAINTENANCE/SERVICES, 2410.00, **TOTAL: \$2,462.30**

GRAND TOTAL: \$83,923.54

Neil Von Eschen, Chairman

Danielle Rolston, Auditor